



Michael W. Malter, #96533
David B. Rao, #103147
BINDER & MALTER, LLP
2775 Park Avenue
Santa Clara, CA 95050
Telephone: (408) 295-1700
Facsimile: (408) 295-1531
Email: Michael@bindermalter.com

Dated December 14, 2009

Not Signed

Roger L. Efremsky
U.S. Bankruptcy Judge

Attorneys for Debtors

*See below for reason

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA, DIVISION 5

In re

GEORGE EARL WEISEL, dba ONE
CALL PROPERTY SERVICE and
ANGELINA CECILIA WEISEL,

Debtors.

Case No. 09-56955-RLE

Chapter 13

Date: December 10, 2009
Time: 2:00 p.m.
Room: 3099

ORDER AVOIDING LIEN OF CITIMORTGAGE, INC.
540 Mac Arthur Avenue, San Jose , California 95128)

On December 10, 2009, the court held a hearing on Debtors' motion to value the lien of Citimortgage, Inc., and Mortgage Electronic Registration Systems, Inc., its assignee, (hereinafter collectively referred to as "Lienholder") against the property commonly known as 540 Mac Arthur Avenue, San Jose, California 95128, A.P.N. 277-31-043 and more fully described in Exhibit A hereto, which lien was recorded in Santa Clara County on or about July 9, 2007 as document no: 19499369 (hereinafter the "Lien").

The Court finds that notice of the motion upon Lienholder was proper. Upon due consideration, and for the reasons stated on the record at the hearing, the court hereby orders as follows:

1 (1) For purposes of Debtors' Chapter 13 plan only, the Lien is valued
2 at zero, Citimortgage, Inc. does not have a secured claim, and the Lien may not be
3 enforced, pursuant to 11 U.S.C. Sections 506, 1322(b)(2), and 1327.

4 (2) This order shall become part of Debtors' confirmed Chapter 13
5 plan.

6 (3) Upon entry of a discharge in Debtors' Chapter 13 case, the Lien
7 shall be voided for all purposes, and upon application by Debtors, the Court will enter
8 an appropriate form of judgment voiding the Lien.

9 (4) If Debtors' Chapter 13 case is dismissed or converted to one under
10 another chapter before Debtors obtain a discharge, this order shall cease to be effective
11 and the Lien shall be retained to the extent recognized by applicable non bankruptcy law,
12 and upon application by the Lienholder, the Court will enter an appropriate form or order
13 restoring the Lien.

14 (5) Except as provided by separate, subsequent order of this Court,
15 the Lien may not be enforced so long as this order remains in effect.

16 ****END OF ORDER****

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18 *In keeping with the Court's ruling, please revise paragraph 3.
19 It should refer not to discharge, but plan completion.
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COURT SERVICE LIST

Attorney for Debtors

Michael W. Malter, Esq.
BINDER & MALTER, LLP
2775 Park Avenue
Santa Clara, CA 95050

Debtor

George and Angelina Weisel
540 Mac Arthur Avenue
San Jose, CA 95128

Chapter 13 Trustee

Devin Derham-Burk
Chapter 13 Trustee
P. O. Box 50013
San Jose, CA 95150

Secured Creditors:

Citibank, N.A.
Attn: President & Chief Executive
Officer
3900 Paradise Road, Suite 127
Las Vegas, NV 89109

CitiMortgage, Inc.
c/o CT Corporation System
(Agent for Service of Process)
818 West Seventh St.
Los Angeles, CA 90017

CitiMortgage, Inc.
(Agent for Service of Process for
Specialized Loan Servicing, LLC)
P. O. Box 30509
Tampa, FL 33631

Mortgage Electronic Registration Systems, Inc.
Attn: President & Chief Executive Officer
P. O. Box 2026
Flint, MI 48501-2026

Mortgage Electronic Registration
Systems, Inc.
c/o Agent for Service of Process
John Brosnan
3321 Vincent Road
Pleasant Hill, CA 94523

EXHIBIT "A"

LEGAL DESCRIPTION:

The land referred to herein is situated in the State of California, County of Santa Clara, in an Unincorporated Area, and is described as follows:

Lot 330, as laid down, designated and delineated upon that certain Map entitled, "Tract No. 228 Bradley Manor-Unit No. 3, a portion of the Los Coches Rancho in Santa Clara County, California", which Map was filed for record in the Office of the Recorder of the County of Santa Clara, State of California, on April 23, 1945 in Book 7 of Maps, at pages 52 and 53.

Tax ID: 277-31-043